

NEBRASKA ADMINISTRATIVE CODE

TITLE 131 – NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Chapter 6 - GENERAL REQUIREMENTS FOR PUBLIC WATER SYSTEM PROJECTS

001 Loan applicants will use the procurement procedures in accordance with Chapter 4, 001.

002 Loan applicants will satisfy the public participation and environmental review requirements in accordance with Chapter 4, 002 and 003 respectively.

003 General Planning requirements. Loan applicants will prepare an engineering report which defines the project, its purpose, and its scope.

003.01 Alternatives will be evaluated for the project through a cost-effectiveness analysis and other non-monetary considerations of an engineering evaluation.

003.02 An evaluation of the environmental impacts including the beneficial and adverse consequences on the existing environment, the future environment and individual sensitive environmental issues that are identified by project management or through public participation on the alternatives of 003.01 and the selected alternative will be included in the engineering report.

003.03 For the selected alternative, a concise description will be provided in the engineering report of at least the following:

003.03A Relevant design parameters including project design life.

003.03B Estimated capital construction costs and the associated operation and maintenance costs, and a description of the manner in which costs will be financed.

003.03C Cost impacts on the users of the Public Water System who benefit from the DWSRF project.

003.03D Institutional and management arrangements necessary for successful implementation.

003.03E Appropriate near-term and long-range measures to avoid, minimize, or mitigate adverse environmental impacts.

003.04 Submission and review of the engineering report. Each engineering report will be submitted to the Department and to DHHS for review.

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004 Design requirements shall include, but not be limited to, the following:

004.01 Loan applicants will have plans and specifications prepared by registered professional engineers and submitted to DHHS for review.

004.02 Capacity for twenty years domestic and industrial growth or reasonable capacity as approved by DHHS.

004.03 Construction contracts shall be prepared in accordance with Chapter 4, 005.04.

005 Contract Award and Construction Activities shall be in accordance with Chapter 4, 006.

006 Effect of Approval or Certification of Documents. Review or approval of engineering reports, design drawings and specifications, or other documents by DHHS or by the Department does not relieve the loan recipient of its responsibility to properly plan, design, build, and effectively operate and maintain the Public Water System described in the loan as required under the DWSRF Act, regulations, permits, and good management practices.

007 Use Ordinances or User Charge Systems: The loan recipient shall include ordinance provisions required by the Department for any user charge system enacted in relation to the Public Water System. The loan recipient shall submit to DHHS for review a water system use ordinance and satisfy DHHS requirements of capacity development.

Enabling Legislation: Neb. Rev. Stat. §71-5318; §71-5322; §71-5324

Legal Citation: Title 131, Ch. 6, Nebraska Department of Environmental Quality